

**Effective 5/10/2016**

**Part 17**  
**Concurrent Enrollment**

**53A-15-1701 Title.**

This part is known as "Concurrent Enrollment."

Enacted by Chapter 200, 2016 General Session

**53A-15-1702 Definitions.**

- (1) "Concurrent enrollment" means enrollment in a course offered through the concurrent enrollment program described in Section 53A-15-1703.
- (2) "Educator" means the same as that term is defined in Section 53A-6-103.
- (3) "Eligible instructor" means an instructor who is:
  - (a) employed as faculty by an institution of higher education; or
  - (b)
    - (i) employed by an LEA;
    - (ii) licensed by the State Board of Education under Title 53A, Chapter 6, Educator Licensing and Professional Practices Act;
    - (iii)
      - (A) approved as adjunct faculty by an institution of higher education; or
      - (B) a mathematics educator who has an upper level mathematics endorsement; and
    - (iv) supervised by an institution of higher education.
- (4) "Eligible student" means a student who:
  - (a) is enrolled in, and counted in average daily membership in, a high school within the state;
  - (b) has a student education occupation plan, as described in Section 53A-1a-106, on file at a high school within the state; and
  - (c)
    - (i) is a grade 11 or grade 12 student; or
    - (ii) is a grade 9 or grade 10 student who qualifies by exception as described in Section 53A-15-1703.
- (5) "Endorsement" means a stipulation, authorized by the State Board of Education and appended to a license, that specifies an area of practice to which the license applies.
- (6) "Institution of higher education" means the same as that term is defined in Section 53B-3-102.
- (7) "License" means the same as that term is defined in Section 53A-6-103.
- (8) "Local education agency" or "LEA" means a school district or charter school.
- (9) "Participating eligible student" means an eligible student enrolled in a concurrent enrollment course.
- (10) "Upper level mathematics endorsement" means an endorsement required by the State Board of Education for an educator to teach calculus.
- (11) "Value of the weighted pupil unit" means the same as that term is defined in Section 53A-1a-703.

Enacted by Chapter 200, 2016 General Session

**53A-15-1703 Concurrent enrollment program.**

- (1) The State Board of Education and the State Board of Regents shall establish and maintain a concurrent enrollment program that:
  - (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently:
    - (i) toward high school graduation; and
    - (ii) at an institution of higher education;
  - (b) includes only courses that:
    - (i) lead to a degree or certificate offered by an institution of higher education; and
    - (ii) are one of the following:
      - (A) general education courses;
      - (B) career and technical education courses;
      - (C) pre-major college level courses; or
      - (D) foreign language concurrent enrollment courses described in Section 53A-15-1708; and
  - (c) is designed and implemented to take full advantage of the most current available education technology.
- (2) The State Board of Education and the State Board of Regents shall coordinate:
  - (a) to establish a concurrent enrollment course approval process that ensures:
    - (i) credit awarded for concurrent enrollment is consistent and transferable to all institutions of higher education; and
    - (ii) learning outcomes for concurrent enrollment courses align with:
      - (A) core standards for Utah public schools adopted by the State Board of Education; and
      - (B) except for foreign language concurrent enrollment courses described in Section 53A-15-1708, institution of higher education lower division courses numbered at or above the 1000 level; and
  - (b) advising to eligible students, including:
    - (i) providing information on general education requirements at institutions of higher education; and
    - (ii) choosing concurrent enrollment courses to avoid duplication or excess credit hours.
- (3) The State Board of Regents shall provide guidelines to an institution of higher education for establishing qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course.
- (4) To qualify for funds under Section 53A-15-1707, an LEA and an institution of higher education shall:
  - (a) enter into a contract, in accordance with Section 53A-15-1704, to provide one or more concurrent enrollment courses that are approved under the course approval process described in Subsection (2);
  - (b) ensure that an instructor who teaches a concurrent enrollment course is an eligible instructor;
  - (c) establish qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course, in accordance with the guidelines described in Subsection (3);
  - (d) ensure that a student who enrolls in a concurrent enrollment course is an eligible student; and
  - (e) coordinate advising to eligible students.
- (5) An LEA and an institution of higher education may qualify a grade 9 or grade 10 student to enroll in a current enrollment course by exception, including a student who otherwise qualifies to take a foreign language concurrent enrollment course described in Section 53A-15-1708.
- (6) An institution of higher education shall accept credits earned by a student who completes a concurrent enrollment course on the same basis as credits earned by a full-time or part-time student enrolled at the institution of higher education.

- (7) An institution of higher education shall require an eligible instructor to submit to a background check and ongoing monitoring, as described in Section 53A-15-1503, in the same manner as a non-licensed employee of an LEA, if the eligible instructor:
- (a) teaches a concurrent enrollment course in a high school; and
  - (b) is not licensed by the State Board of Education under Title 53A, Chapter 6, Educator Licensing and Professional Practices Act.

Amended by Chapter 76, 2016 General Session, (Coordination Clause)  
Enacted by Chapter 200, 2016 General Session

**53A-15-1704 Designated institution of higher education -- Concurrent enrollment course right of first refusal.**

- (1) As used in this section, "designated institution of higher education" means an institution of higher education that is designated by the State Board of Regents to provide a course or program of study within a specific geographic region.
- (2) To offer a concurrent enrollment course, an LEA shall contact the LEA's designated institution of higher education to request that the designated institution of higher education contract with the LEA to provide the concurrent enrollment course.
- (3) If the LEA's designated institution of higher education chooses to offer the concurrent enrollment course, the LEA shall contract with the LEA's designated institution of higher education to provide the concurrent enrollment course.
- (4) An LEA may contract with an institution of higher education that is not the LEA's designated institution of higher education to provide a concurrent enrollment course if the LEA's designated institution of higher education:
  - (a) chooses not to offer the concurrent enrollment course proposed by the LEA; or
  - (b) fails to respond to the LEA's request under Subsection (2) within 30 days after the day on which the LEA contacts the designated institution of higher education.

Enacted by Chapter 200, 2016 General Session

**53A-15-1705 Concurrent enrollment participation form -- Parental permission.**

- (1) The State Board of Regents shall create a higher education concurrent enrollment participation form that includes a parental permission form.
- (2) Before allowing an eligible student to participate in concurrent enrollment, an LEA and an institution of higher education shall ensure that the eligible student has, for the current school year:
  - (a) submitted the participation form described in Subsection (1);
  - (b) signed an acknowledgment of program participation requirements; and
  - (c) obtained parental permission as indicated by the signature of a student's parent or legal guardian on the parental permission form.

Enacted by Chapter 200, 2016 General Session

**53A-15-1706 Tuition and fees.**

- (1) Except as provided in this section, the State Board of Regents or an institution of higher education may not charge tuition or fees for a concurrent enrollment course.
- (2)

- (a) The State Board of Regents may charge a one-time fee for a student to participate in the concurrent enrollment program.
  - (b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general admission application fee requirement for a full-time or part-time student at an institution of higher education.
- (3)
- (a) An institution of higher education may charge a one-time admission application fee for concurrent enrollment course credit offered by the institution of higher education.
  - (b) Payment of the fee described in Subsection (3)(a) satisfies the general admission application fee requirement for a full-time or part-time student at an institution of higher education.
- (4)
- (a) Except as provided in Subsection (4)(b), an institution of higher education may charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment course for which a student earns college credit.
  - (b) A higher education institution may not charge more than:
    - (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price school lunch;
    - (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by an eligible instructor described in Subsection 53A-15-1702(3)(b); or
    - (iii) \$15 per credit hour for a concurrent enrollment course that is taught through video conferencing.

Enacted by Chapter 200, 2016 General Session

**53A-15-1707 Funding.**

- (1) The State Board of Education shall allocate money appropriated for concurrent enrollment in accordance with this section.
- (2)
- (a) The State Board of Education shall allocate money appropriated for concurrent enrollment in proportion to the number of credit hours earned for courses taken where:
    - (i) an LEA primarily bears the cost of instruction; and
    - (ii) an institution of higher education primarily bears the cost of instruction.
  - (b) From the money allocated under Subsection (2)(a)(i), the State Board of Education shall distribute:
    - (i) 60% of the money to LEAs; and
    - (ii) 40% of the money to the State Board of Regents.
  - (c) From the money allocated under Subsection (2)(a)(ii), the State Board of Education shall distribute:
    - (i) 40% of the money to LEAs; and
    - (ii) 60% of the money to the State Board of Regents.
  - (d) The State Board of Education shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, providing for the distribution of the money to LEAs under Subsections (2)(b)(i) and (2)(c)(i).
  - (e) The State Board of Regents shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, providing for the distribution of the money allocated to institutions of higher education under Subsections (2)(b)(ii) and (2)(c)(ii).
- (3) Subject to budget constraints, the Legislature shall annually increase the money appropriated for concurrent enrollment in proportion to the percentage increase over the previous school year in:

- (a) kindergarten through grade 12 student enrollment; and
- (b) the value of the weighted pupil unit.

Enacted by Chapter 200, 2016 General Session

**53A-15-1708 Concurrent enrollment courses for accelerated foreign language students.**

(1) As used in this section:

- (a) "Accelerated foreign language student" means a student who:
  - (i) has passed a world language advanced placement exam; and
  - (ii) is in grade 10, grade 11, or grade 12.
- (b) "Blended learning delivery model" means an education delivery model in which a student learns, at least in part:
  - (i) through online learning with an element of student control over time, place, path, and pace; and
  - (ii) in the physical presence of an instructor.
- (c) "State university" means an institution of higher education that offers courses leading to a bachelor's degree.

(2) The University of Utah shall partner with all state universities to develop, as part of the concurrent enrollment program described in this part, concurrent enrollment courses that:

- (a) are age-appropriate foreign language courses for accelerated foreign language students who are eligible students;
- (b) count toward a foreign language degree offered by an institution of higher education; and
- (c) are delivered:
  - (i) using a blended learning delivery model; and
  - (ii) by an eligible instructor that is faculty of a state institution of higher education.

Amended by Chapter 76, 2016 General Session, (Coordination Clause)

Enacted by Chapter 200, 2016 General Session

**53A-15-1709 Reporting.**

The State Board of Education and the State Board of Regents shall submit an annual written report to the Higher Education Appropriations Subcommittee and the Public Education Appropriations Subcommittee on student participation in the concurrent enrollment program, including:

- (1) data on the higher education tuition not charged due to the hours of higher education credit granted through concurrent enrollment;
- (2) tuition or fees charged under Section 53A-15-1706;
- (3) an accounting of the money appropriated for concurrent enrollment; and
- (4) a justification of the distribution method described in Subsections 53A-15-1707(2)(d) and (e).

Enacted by Chapter 200, 2016 General Session